

HOUSE BILL 847

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5lr2568
CF SB 650

By: **Delegates McCaskill, Hill, McComas, Ruff, Ruth, and Woods**

Introduced and read first time: January 30, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Domestic Violence Offender Registry**

3 FOR the purpose of requiring the Department of Public Safety and Correctional Services
4 to establish and maintain the Domestic Violence Offender Registry; requiring a
5 certain person convicted a certain number of times of a certain domestically related
6 crime to register with a certain county sheriff; requiring the county sheriff to forward
7 certain registration information to the Department; requiring Registry information
8 to be made public in a certain manner; establishing a procedure by which a person
9 may obtain an order exempting the person from a certain registration requirement;
10 and generally relating to the establishment of a domestic violence offender registry.

11 BY adding to

12 Article – Criminal Procedure

13 Section 11–1201 through 11–1208 to be under the new subtitle “Subtitle 12.
14 Domestic Violence Offender Registry”

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2024 Supplement)

17 BY repealing and reenacting, without amendments,

18 Article – Family Law

19 Section 4–701(a) through (c)

20 Annotated Code of Maryland

21 (2019 Replacement Volume and 2024 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Criminal Procedure**

25 **SUBTITLE 12. DOMESTIC VIOLENCE OFFENDER REGISTRY.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11-1201.

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "DOMESTICALLY RELATED CRIME" MEANS:

5 (1) A CRIME OF DOMESTIC VIOLENCE, AS DEFINED IN § 4-701 OF THE
6 FAMILY LAW ARTICLE; OR

7 (2) A CRIME COMMITTED BY A DEFENDANT AGAINST A VICTIM WHO
8 HAD A SEXUAL RELATIONSHIP WITH THE DEFENDANT WITHIN THE 12 MONTHS
9 IMMEDIATELY PRECEDING THE COMMISSION OF THE CRIME.

10 (C) "REGISTRANT" MEANS A PERSON REQUIRED TO REGISTER UNDER §
11 11-1204 OF THIS SUBTITLE.

12 (D) "REGISTRY" MEANS THE DOMESTIC VIOLENCE OFFENDER REGISTRY
13 ESTABLISHED UNDER § 11-1203 OF THIS SUBTITLE.

14 (E) "RELEASE" HAS THE MEANING STATED IN § 11-701 OF THIS TITLE.

15 11-1202.

16 FOR THE PURPOSES OF THIS SUBTITLE, A PERSON IS CONVICTED WHEN THE
17 PERSON:

18 (1) IS FOUND GUILTY OF A CRIME BY A JURY OR JUDICIAL OFFICER;
19 OR

20 (2) ENTERS A PLEA OF GUILTY OR NOLO CONTENDERE.

21 11-1203.

22 (A) THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN A CENTRAL
23 COMPUTERIZED REGISTRY OF ALL PERSONS WHO ARE REQUIRED TO REGISTER IN
24 ACCORDANCE WITH § 11-1204 OF THIS SUBTITLE, TO BE KNOWN AS THE DOMESTIC
25 VIOLENCE OFFENDER REGISTRY.

26 (B) THE REGISTRY SHALL BE UPDATED BASED ON INFORMATION MADE
27 AVAILABLE TO THE DEPARTMENT, INCLUDING INFORMATION ACQUIRED IN
28 ACCORDANCE WITH THE REGISTRATION PROVISIONS OF §§ 11-1204 AND 11-1205

1 OF THIS SUBTITLE.

2 (C) FOR EACH REGISTRANT, THE REGISTRY SHALL INCLUDE:

3 (1) THE REGISTRANT'S NAME;

4 (2) THE REGISTRANT'S RESIDENTIAL ADDRESS;

5 (3) THE DATE AND A DESCRIPTION OF THE CRIMES FOR WHICH
6 REGISTRATION IS REQUIRED; AND

7 (4) A DIGITAL IMAGE OF THE REGISTRANT'S HEAD AND SHOULDERS
8 TAKEN IN FULL-FACE VIEW.

9 11-1204.

10 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PERSON
11 CONVICTED THREE OR MORE TIMES OF A DOMESTICALLY RELATED CRIME SHALL
12 REGISTER WITH THE COUNTY SHERIFF FOR THE COUNTY IN WHICH THE PERSON
13 RESIDES ON OR BEFORE THE DATE THAT THE PERSON:

14 (1) IS RELEASED;

15 (2) IS GRANTED PROBATION;

16 (3) IS GRANTED A SUSPENDED SENTENCE; OR

17 (4) RECEIVES A SENTENCE THAT DOES NOT INCLUDE A TERM OF
18 IMPRISONMENT.

19 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PERSON IS NO
20 LONGER SUBJECT TO REGISTRATION UNDER THIS SUBTITLE IF:

21 (1) ALL UNDERLYING CONVICTIONS REQUIRING REGISTRATION ARE
22 REVERSED, VACATED, OR SET ASIDE;

23 (2) THE REGISTRANT IS PARDONED FOR ALL UNDERLYING
24 CONVICTIONS; OR

25 (3) SUBJECT TO § 11-1207 OF THIS SUBTITLE, THE CIRCUIT COURT IN
26 THE COUNTY IN WHICH THE PERSON RESIDES ENTERS AN ORDER EXEMPTING THE
27 PERSON FROM THE REGISTRATION REQUIREMENTS OF THIS SUBTITLE.

1 **11-1205.**

2 (A) A REGISTRANT SHALL PROVIDE THE COUNTY SHERIFF WITH THE
3 FOLLOWING INFORMATION:

4 (1) THE REGISTRANT'S LEGAL NAME;

5 (2) THE REGISTRANT'S CURRENT ADDRESS OR LOCATION;

6 (3) THE CRIMES FOR WHICH THE REGISTRANT WAS CONVICTED; AND

7 (4) THE DATES AND LOCATIONS OF THE CRIMES.

8 (B) THE COUNTY SHERIFF SHALL OBTAIN A DIGITAL IMAGE OF THE
9 REGISTRANT'S HEAD AND SHOULDERS TAKEN IN FULL-FACE VIEW.

10 (C) A REGISTRANT SHALL UPDATE THE REGISTRANT'S REGISTRATION
11 INFORMATION:

12 (1) ANNUALLY; AND

13 (2) TO REFLECT ANY CHANGE IN ADDRESS WITHIN 10 DAYS AFTER
14 THE CHANGE.

15 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
16 REGISTRATION UNDER THIS SUBTITLE SHALL REMAIN IN EFFECT FOR A PERIOD OF
17 15 YEARS FOLLOWING EITHER THE DATE OF THE LATEST CONVICTION OR THE DATE
18 OF RELEASE FROM THE LATEST PERIOD OF INCARCERATION, WHICHEVER IS LATER.

19 (2) THE PERIOD DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION
20 SHALL BE EXTENDED AN ADDITIONAL 20 YEARS FOR EACH CONVICTION FOR A
21 DOMESTICALLY RELATED CRIME THAT OCCURS AFTER THE INITIAL REGISTRATION.

22 (E) THE COUNTY SHERIFF SHALL FORWARD ALL REGISTRATION
23 INFORMATION TO THE DEPARTMENT.

24 **11-1206.**

25 INFORMATION CONTAINED IN THE DOMESTIC VIOLENCE OFFENDER
26 REGISTRY SHALL BE MADE AVAILABLE TO THE PUBLIC THROUGH THE INTERNET,
27 BY TELEPHONE, BY WRITTEN ACCESS, AND IN PERSON.

28 **11-1207.**

1 (A) A PERSON WHO WOULD OTHERWISE BE REQUIRED TO REGISTER UNDER
2 § 11-1204 OF THIS SUBTITLE MAY PETITION THE CIRCUIT COURT IN THE COUNTY IN
3 WHICH THE PERSON RESIDES FOR AN ORDER EXEMPTING THE PERSON FROM THE
4 REGISTRATION REQUIREMENTS OF THIS SUBTITLE.

5 (B) (1) (I) THE CIRCUIT COURT MAY ENTER AN ORDER EXEMPTING A
6 PERSON FROM THE REGISTRATION REQUIREMENTS OF THIS SUBTITLE IF THE
7 COURT FINDS THAT:

8 1. THE CIRCUMSTANCES OF EACH OF THE
9 DOMESTICALLY RELATED CRIMES, IN CONJUNCTION WITH THE PERSON'S CRIMINAL
10 HISTORY, DO NOT INDICATE A RISK THAT THE PERSON WILL COMMIT ANOTHER
11 DOMESTICALLY RELATED CRIME; AND

12 2. THE PERSON IS NOT A DANGER TO OTHERS.

13 (II) THE CIRCUIT COURT SHALL SPECIFY IN WRITING THE
14 REASONS FOR ITS FINDINGS.

15 (2) ON MAKING THE FINDINGS DESCRIBED IN PARAGRAPH (1) OF
16 THIS SUBSECTION, THE CIRCUIT COURT SHALL ENTER AN ORDER EXEMPTING THE
17 PERSON FROM THE REGISTRATION REQUIREMENTS OF THIS SUBTITLE AND
18 ORDERING THE DEPARTMENT TO REMOVE THE PERSON'S REGISTRATION
19 INFORMATION FROM THE REGISTRY.

20 11-1208.

21 (A) A PERSON WHO IS SUBJECT TO REGISTRATION UNDER § 11-1204 OF
22 THIS SUBTITLE MAY NOT KNOWINGLY:

23 (1) FAIL TO REGISTER WITH THE COUNTY SHERIFF; OR

24 (2) FAIL TO PROVIDE ACCURATE INFORMATION WHEN REGISTERING
25 UNDER § 11-1204 OF THIS SUBTITLE.

26 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
27 AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,000.

28 Article - Family Law

29 4-701.

30 (a) In this subtitle the following words have the meanings indicated.

1 (b) "Abuse" has the meaning stated in § 4-501(b)(1) of this title.

2 (c) "Domestic violence" means abuse occurring between:

3 (1) current or former spouses or cohabitants;

4 (2) persons who have a child in common; or

5 (3) persons currently or formerly involved in a dating relationship.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2025.